

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

SHAWN DRUMGOLD,

Plaintiff

v.

TIMOTHY CALLAHAN,  
FRANCIS M. ROACHE,  
PAUL MURPHY, RICHARD WALSH,  
and THE CITY OF BOSTON,

Defendant

C.A. NO.: 04-11193NG

**DEFENDANTS' PROPOSED VOIR DIRE**

TO THE PROSPECTIVE JUROR:

This questionnaire is being used to assist in jury selection in the case of Shawn Drumgold v. Timothy Callahan, Francis M. Roache, (Richard Walsh and the City of Boston). Please answer all questions below completely and accurately. Your answers will be used only for the purpose of selecting a jury in this case. There are no right or wrong answers to these questions. If you have any difficulty answering any of these questions, do not hesitate to consult the Court before answering that particular question. Please keep in mind that you are answering these questions under oath, and must be truthful.

Please do not write on the back of any page. If there is insufficient space after a question for you to provide a complete answer, you may continue your answer at the bottom of the page.

Please do not discuss anything about this case with anyone, and do not read, listen to, or watch anything relating to this case. **Do not engage in your own search for information about this case, including use of the Internet or other search engines to discover information apart from that entered into evidence at the trial of this action.** Until you are excused as a potential juror, or until the trial is over if you are selected as a juror, you are not to discuss this case, or allow yourself to be exposed to any discussion of this case whatsoever.

1. Name \_\_\_\_\_ Juror Number: \_\_\_\_\_

2. Age: \_\_\_\_\_

State and City of Birth (or City and Country if born outside the U.S.):

\_\_\_\_\_

3. Address: \_\_\_\_\_

No. of years at current residence: \_\_\_\_\_

List the first names and age of members of your household and their relationship  
to you:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Trial of this case may last as long as 6 weeks. Do you have any obligations or  
commitments that would interfere with your service as a juror in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

5. Do you have any physical or medical problems that would make juror service  
difficult for you?

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Do you have a hearing or vision impairment that may affect your ability to listen to the testimony of witnesses or see the exhibits in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

7. Do you have any difficulty understanding English that may affect your ability to understand the testimony of witnesses? Yes \_\_\_\_\_ No \_\_\_\_\_

8. How long have you lived in Massachusetts? \_\_\_\_\_

9. a. Please state the highest grade completed or degree achieved and the names of the schools that you have attended:

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b. Are you presently a student? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe the course of study and anticipated date of completion:

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10. What is your occupation? \_\_\_\_\_

Name of your employer: \_\_\_\_\_

Address of employer: \_\_\_\_\_

Length of employment: \_\_\_\_\_

Present job description: \_\_\_\_\_

11. If you are not currently employed outside the home, please check the category below that best describes your employment status:

\_\_\_\_\_ Stay at home parent  
\_\_\_\_\_ Retired  
\_\_\_\_\_ Currently unemployed  
\_\_\_\_\_ Student  
\_\_\_\_\_ Other (Please explain): \_\_\_\_\_

12. If you are retired or unemployed (voluntarily or involuntarily), please answer the following questions:

What was your occupation? \_\_\_\_\_

Name of your primary employer? \_\_\_\_\_

Address of employer? \_\_\_\_\_

Length of employment: \_\_\_\_\_

13. Are you: Married \_\_\_\_\_ Single \_\_\_\_\_

Living with significant other \_\_\_\_\_ Separated \_\_\_\_\_

Divorced \_\_\_\_\_ Widowed \_\_\_\_\_

14. Spouse or significant other's

First name \_\_\_\_\_

Occupation \_\_\_\_\_

15. Do you have children? Yes \_\_\_\_\_ No \_\_\_\_\_

If you have children, please list the sex and age of each child. If the child is over 18 years of age, please also list his/her current occupation:

Male/Female	Age	Occupation

16. Have you, any family member or any close friend or associate ever been employed in the drug counseling or drug rehabilitation field? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, give details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17. Have you, any family members or any close friend or associate ever been employed in the medical or mental health field? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

18. Do you have any legal training or have you taken any law courses or worked in a law office? Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is yes, please list each training or course that you have taken, and when you had that training, or took those courses, or when and where you worked in a law office: \_\_\_\_\_

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19. Do you regularly watch any television programs involving lawyers and police?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please identify which programs: \_\_\_\_\_

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20. Do you read books or listen to books on tape?

Yes \_\_\_\_\_ No \_\_\_\_\_

What authors and types of books do you tend to read or listen to?

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21. What was the last book you read/listened to?

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22. What is your primary source of news for example, newspapers, internet, tv, radio)?

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What newspapers and magazines, if any, do you read regularly?

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24. Have you read any books or articles about drug use, urban violence, gangs, law enforcement, or allegations of wrongful convictions?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please indicate the books or articles you have read. \_\_\_\_\_

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25. Have you seen any movies or television programs involving allegations of gangs, urban violence, drug use, or allegations of wrongful convictions?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please indicate the movies or programs you have watched:

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26. Do you belong to any organization, or any social, fraternal, or cultural club that is involved with crime prevention, law enforcement, civil liberties, criminal offenders, victims, witnesses, prisons, or police? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please state the name of the group(s) and describe its activities, policies, and your involvement with the group:

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27. Have you, any member of your family, or a close friend or associate been employed by, or made application for employment with, any law enforcement agency such as a police department, sheriff's office, the FBI, IRS, DEA, Immigration and Customs Enforcement (formerly U.S. Customs and the Immigration and Naturalization Service), ATF, U.S. Marshalls, U.S. Attorney's Office, U.S. Department of Justice, a district attorney's office, a probation or parole office, the Bureau of Prisons or any other law enforcement office or agency? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please describe: \_\_\_\_\_

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28. Have you (or your spouse or significant other) ever served in the military? If so, when and in what branch? \_\_\_\_\_

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29. Some of the witnesses in this case will be law enforcement officers. Would that fact make you either more likely or less likely to believe their testimony?

Yes \_\_\_\_\_ No \_\_\_\_\_

30. Have you had prior jury service? Yes \_\_\_\_\_ No \_\_\_\_\_



If your answer is yes, please answer the following:

a. Which type of jury service was it?

Criminal \_\_\_\_\_ Civil \_\_\_\_\_ Both \_\_\_\_\_

b. What court/

Federal \_\_\_\_\_ State \_\_\_\_\_ Both \_\_\_\_\_

c. Without disclosing the result, did the jury reach a verdict in the case in which you served as a juror? Yes \_\_\_\_\_ No \_\_\_\_\_

d. Is there anything about your prior jury service that might affect your ability to be fair and impartial in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

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31. Have you ever filed a lawsuit or been named in a lawsuit as a defendant?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please describe the nature of the lawsuit(s), your role in the lawsuit(s), and the result: \_\_\_\_\_

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32. Have you, any family member or close friend or associate worked for the U.S. Attorney's Office, a state prosecutor's office, a criminal defense attorney, public defender, prison, jail or detention center?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is yes, for each such person, please list in what office that person worked, and what your relationship is with that person.

Office worked in

Relationship


33. Have you ever pleaded guilty to or been convicted of a crime, other than a simple traffic violation? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what was the crime? \_\_\_\_\_

Was it a felony or misdemeanor? \_\_\_\_\_

What punishment did you receive (including probation)? \_\_\_\_\_


34. Are there any criminal charges now pending against you?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

35. Have you, a close friend or a family member ever been charged with a crime (including a drug crime)? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, for each person, state that person's relationship to you, the type of crime, and the date of the charges: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is the case over? Yes \_\_\_\_\_ No \_\_\_\_\_

What was the outcome? \_\_\_\_\_

If you answered yes, did you feel the person involved was treated fairly?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is No, why not? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

36. Have you, a family member, close friend or associate ever been the victim of a crime? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please describe each such incident, giving the date, who was involved (you, relative or friend), and what kind of crime was involved.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How did you feel about the outcome of the matter (regardless of whether a person was prosecuted, or not)?

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37. This case ultimately stems from the 1988 shooting death of Darlene Tiffany Moore, in the Roxbury neighborhood of Boston. She was 12 years old at the time of her death. The plaintiff, Shawn Drumgold, was arrested, prosecuted and convicted of the crime. Do you have any knowledge about this event, from any source whatsoever?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is yes, please explain: \_\_\_\_\_

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38. Are you aware of any prejudice that you may have against the police, the plaintiff, or any witness in this case that would in any way impair your ability to evaluate and judge fairly and impartially the facts of this case? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

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**Respectfully Submitted,**

**Defendant,**  
**TIMOTHY CALLAHAN,**  
By his attorney,

/s/ Mary Jo Harris  
Mary Jo Harris (BBO# 561484)  
Morgan, Brown & Joy LLP  
200 State Street  
11th Floor  
Boston, MA 02109  
Phone: (617) 523-6666  
Fax: (617) 367-3125

**Defendants,**  
**CITY OF BOSTON AND**  
**FRANCIS M. ROACHE,**  
By their attorney,

/s/ John P. Roache  
John P. Roache, Esq. (BBO #421680)  
Patrick J. Donnelly, Esq. (BBO #651113)  
Roache & Associates P.C.  
66 Long Wharf  
4th Floor  
Boston, MA 02110  
Phone: (617) 367-0330  
Fax: (617) 367-0172

**Defendant,**  
**RICHARD WALSH,**  
By his attorney,

/s/ Hugh R. Curran  
Hugh R. Curran (BBO# 552623)  
Bletzer & Bletzer PC  
300 Market Street  
Brighton, MA 02135  
Phone: (617) 254-8900  
Fax: (617) 254-5522

Dated: February 11, 2008